



Report to the Auburn City Council

Action Item
Agenda Item No. **13**

[Signature]
City Manager's Approval

To: Mayor and City Council Members
From: Reg Murray, Senior Planner *[Signature]*
Date: November 25, 2013
Subject: Amendment #1 to Professional Services Agreement with Pacific Municipal Consultants - 2013 Housing Element Update

The Issue

Shall the City approve Amendment #1 to the existing professional services agreement with Pacific Municipal Consultants (PMC) in order to finalize the 2013 Housing Element Update?

Conclusions and Recommendations

By Resolution, approve Amendment #1 to the existing Professional Services Agreement between the City and Pacific Municipal Consultants.

Project Description

The City is currently in the process of completing the 2013 Housing Element Update. The update to the Auburn Housing Element is mandated by the State of California's Element Law (Article 10.6 of the Government Code), which requires that jurisdictions update the Housing Element of the General Plan on a specific schedule. For the City of Auburn, the deadline for the 2013 Housing Element Update was October 31, 2013.

To assist the Community Development Department with the update process, the City Council approved a professional services agreement with Pacific Municipal Consultants (PMC) on June 25, 2012 for the preparation of the 2013 Housing Element Update. Under the terms of the initial agreement, the contract had a not-to-exceed amount of \$28,230; in addition, the expiration date for the contract coincided with the City's October 31st deadline date for adoption of the housing element.

Staff recommends approval of Amendment #1, which includes two components:

1. Expiration Date – The City of Auburn was not able to comply with the October 31st deadline for adoption of the 2013 Housing Element update. This was due to the extended review period associated with the review and approval of zoning for emergency shelters. As a result, the City will need to retain the services of PMC for an additional period of time

to assist with the adoption of the housing element update. This additional time frame could be for up to an additional 120 days (i.e. to February 28, 2014). Since the original contract period terminated on October 31, 2013, the contract will need to be extended to February 28, 2014.

2. Contract Amount – As noted above, the existing contract has a not-to-exceed amount of \$28,230; this included \$18,655 for the update of the housing element, \$4,975 for analysis associated with SB 244 (disadvantaged communities), and \$4,600 for environmental review. As noted with the consultant's letter (see Attachment 2), additional time and expertise were provided in association with the review and approval process for the zoning of emergency shelters. In addition to the current funds still available (\$4,018) it is estimated that an additional \$3,000 will be necessary to complete the remaining tasks including resubmittal of draft housing element, coordination with HCD staff, attendance at public hearings, and finalizing the draft for certification.

Alternatives Available; Implications of Alternatives

1. Approve the proposed contract amendment for an additional \$3,000; this accounts for additional work beyond the original scope of work.
2. Deny the proposed contract amendment.
3. Modify the proposed contract amendment.
4. Continue the proposed contract amendment in order to consider additional information.

Fiscal Impact

The existing contract with PMC has a not-to-exceed amount of \$28,230. An additional \$3,000 is required to complete the remaining tasks associated with the 2013 housing element update, including coordination with HCD and finalizing the housing element for adoption. Funds are available and will be allocated as a component of the General Fund Reserves.

Additional Information

Please see the following for more details:

ATTACHMENTS

1. Resolution authorizing the amendment to the existing agreement
2. Amendment #1 to Professional Services Agreement with PMC
 - a. Budget letter from PMC – October 10, 2013

RESOLUTION NO. 13-

RESOLUTION AUTHORIZING AMENDMENT #1 TO THE EXISTING
PROFESSIONAL SERVICES AGREEMENT WITH PACIFIC MUNICIPAL
CONSULTANTS

THE CITY OF AUBURN DOES HEREBY RESOLVE:

That the City Council of the City of Auburn (City) does hereby authorize Amendment #1 to the existing Professional Services Agreement between Pacific Municipal Consultants (PMC) and the City in order to finalize the 2013 Housing Element Update. The amendment extends the term of the contract to February 28, 2014 and increases the contract's not-to-exceed total by \$3,000, from \$28,230 to \$31,230.

A true and correct copy of the amended contract agreement is attached hereto as Exhibit A.

DATED: November 25, 2013

Kevin Hanley, Mayor

ATTEST:

Stephanie L. Snyder, City Clerk

I, Stephanie L. Snyder, City Clerk of the City of Auburn, hereby certify that the foregoing resolution was duly passed at a regular meeting of the City of Auburn held on the 25th day of November 2013 by the following vote on roll call:

Ayes:

Noes:

Absent:

Stephanie L. Snyder, City Clerk

AMENDMENT No. 1 TO PROFESSIONAL SERVICES AGREEMENT
(City of Auburn and Pacific Municipal Consultants (PMC))

This Amendment No. 1 ("Amendment") to Professional Services Agreement ("Agreement") is made on this 25th day of November, 2013 at Auburn, California, by and between the City of Auburn, a municipal corporation, 1225 Lincoln Way, Auburn, California 95603 ("City") and Pacific Municipal Consultants (PMC) ("Consultant").

This "Amendment" modifies the original "Agreement" between the "City" and the "Consultant" dated June 26, 2012 in the following fashion:

- A. "City" and "Consultant" desire to amend the "Agreement" by modifying section 3.4 – Expiration Date of the "Agreement" to read as follows:

3.4 "Expiration Date": February 28, 2014

- B. "City" and "Consultant" desire to amend the "Agreement" by modifying the total compensation and costs payable to "Consultant" under this "Agreement" to a not-to-exceed sum of \$31,230.00, in accordance with Consultant's budget modification request dated October 10, 2013, attached and incorporated herein as "Exhibit A".

TO EFFECTUATE THIS AGREEMENT, the parties have caused their duly authorized representatives to execute this Agreement on the dates set forth below.

"City"
City of Auburn

"Consultant"
Pacific Municipal Consultants

By: _____
Wilfred Wong
Community Development Director

By: _____
Philip O. Carter, President

Date: _____

Date: 11-7-2013

By: _____
Jennifer LeBoeuf, Secretary

Date: 11-7-2013

Attest:

By: _____
Amy Lind, City Clerk

Date: _____

Approved as to form:

By: _____
Michael G. Colantuono, City Attorney



EXHIBIT A

October 10, 2013

Reg Murray, Senior Planner
CITY OF AUBURN
COMMUNITY DEVELOPMENT DEPARTMENT
1225 Lincoln Way, Room 3
Auburn, CA 95603

RE: CITY OF AUBURN DRAFT HOUSING ELEMENT

Dear Reg,

As previously discussed, we have several tasks that need to be completed on the City of Auburn draft Housing Element in order to get the document ready to submit to the state Housing and Community Development Department (HCD) for review and certification. These revisions will exceed the current Housing Element budget and will require an amendment to our existing contract. Through the update process, PMC ended up spending additional time in discussions with the City attorney and HCD on the City's draft zoning code amendments to get the City eligible for the streamlined review process. PMC staff also spent additional time doing research and proposing new time frames between April and June when the draft was on hold. This time was not previously budgeted.

As of October, 2013, we have \$4,325 left in the overall budget. We did not use the \$2,525 budget for the Land Use Amendments since this task was not necessary. We are proposing to use this \$2,525 to complete the remaining public hearings. We also have \$1,650 remaining in the environmental task to address the remaining comments and \$150 remaining for printing costs.

In addition, there are edits that will need to be completed based on the outcome of the zoning code amendments and the initial items that our HCD reviewer identified. PMC is requesting an additional \$3,000 to complete the following tasks:

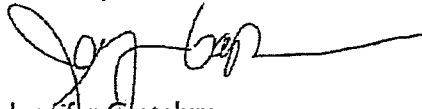
- Update the HCD checklist
- Resubmit the draft to HCD
- Conference call with HCD
- Any additional edits and final submittal of the adopted version to HCD

Below is a breakdown of the original cost per task, the plan to reallocate the existing budget, and the addition of \$3,000 to complete the second round of HCD review.

Task	Total Cost	Remaining Budget	Additional Requested Amount
A. General			
B. Task 1 – Housing Element Update			
Task 1.1 Kickoff Meeting	\$700	\$0	\$0
Task 1.2 Evaluation of 2008 Housing Element	\$1,075	\$0	\$0
Task 1.3 Housing Needs Assessment	\$3,020	\$0	\$0
Task 1.4 Housing Resources & Opportunities	\$3,655	\$0	\$0
Task 1.5 Housing Constraints	\$2,975	\$0	\$0
Task 1.6 Housing Implementation Program	\$1,925	\$0	\$0
Task 1.7 Opportunities for Energy Conservation	\$600	\$0	\$0
Task 1.8 Community Outreach: 1 workshop, 3 public hearings	\$1,380	\$0	\$2,525 from Task 2.2
C. State Housing Element Legal Requirements			
State Certification & Process	\$2,875	\$0	\$3,000
D. Task 2 – SB 244			
Task 2.1 – SB 244 Analysis	\$2,750	\$0	\$0
Task 2.2 – Land Use Amendment (if required)	\$2,525	\$2,525	Funds moved to Task 1.8
E. Environmental Review (IS/ND or MND)			
Printing Costs	\$150	\$150	\$0
Total All Tasks	\$28,230	\$4,325	\$3,000

Please let me know if you have any questions. Thank you for working with us. We look forward to getting the City's Housing Element adopted and certified.

Sincerely,



Jennifer Castelum